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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 25, 2000

PETITION OF

CAVALIER TELEPHONE, LLC

CASE NO. PUA000057

For declaratory judgment
regarding applicability of
the Utility Transfers Act

DISMISSAL ORDER

On July 7, 2000, Cavalier Telephone, LLC ("Cavalier" or "Petitioner"), filed a Petition for Declaratory Judgment Regarding Applicability of the Utility Transfers Act ("Petition"). In its Petition, Cavalier requested that the Commission determine that the merger transaction between Cavalier Telephone Corporation (Petitioner's parent corporation), Conversent Communications, LLC, and Florida Digital Network, Inc., did not require Commission approval pursuant to the Utility Transfers Act, §§ 56-88 et seq. of the Code of Virginia.

Pursuant to a Commission Order dated July 12, 2000, Staff filed Comments on Cavalier's Petition on July 24, 2000, and Cavalier filed Reply Comments on July 28, 2000.

Subsequently, by letter dated August 21, 2000, counsel for Cavalier requested that the Commission dismiss the above-

captioned proceeding since the merger, which is the subject of the Petition, will not occur.

NOW THE COMMISSION, having considered the matter, is of the opinion that Cavalier's request is reasonable and should be granted.

Accordingly, IT IS ORDERED THAT this matter is hereby dismissed from the Commission's docket of active cases and the papers placed in the file for ended causes.